

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

NATIONAL DIVERSITY COUNCIL,

Plaintiff,

vs.

R. DENNIS KENNEDY, JASON  
DEGROT, ANGELES VALENCIANO,  
JASON LEE, DIVERSITY &  
LEADERSHIP, INC., CALIFORNIA  
DIVERSITY COUNCIL,

Defendants.

CASE NO. 4:23-CV-01162

JURY TRIAL DEMANDED

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**JOINT STATUS REPORT**

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Pursuant to the Court's Joint Status Report Order [doc. 99], the Parties submit the following Joint Status Report to the Court for consideration and state the following:

1. **Discovery:** The discovery period has ended. There are no pending discovery issues or motions, and none are anticipated by the parties currently.
2. **Motions:** Plaintiff's position is that there are no pending or anticipated motions from any of the parties prior to the scheduled docket call or pre-trial matters (but see statement 6 below).
3. Defendants anticipate filing a motion for continuance for the purpose of conducting additional but targeted discovery seeking information about

representations made by the NDC regarding “wind up” and potential transfer or sale of assets.

4. **Continuance:** Plaintiff’s position is that currently, no request for continuance is anticipated by the parties.

Defendants anticipate filing a motion for continuance for the purpose of conducting additional but targeted discovery seeking information about representations made by the NDC regarding “wind up” and potential transfer or sale of assets.

5. **Mediation:** The Plaintiff has suggested mediation, and Defendants may agree. The parties may participate in mediation by agreement prior to the scheduled trial date in this matter.

6. **Plaintiff's Status:** Plaintiff, the National Diversity Council, is in the process of winding up affairs. There is nothing in the wind-up process that prohibits Plaintiff from prosecuting or defending this lawsuit, which Plaintiff intends to do. The Plaintiff is not actively looking for any buyers and has no plans to do so. The Plaintiff is neither engaged in nor contemplates the sale of any assets which are the subject of this litigation.

7. **Defendants' Concerns and Status:** Defendants are concerned that Plaintiff may sell assets that are the subject of this lawsuit or any pleading on file in this case. Defendants also have concerns about specific representations and

disclosures made on behalf of the NDC in its recent status report provided to the Court.

8. **In-Camera Disclosure:** Plaintiff will not divulge to the Defendants the identity of any party with whom Plaintiff would contract for the sale of assets, or provide a listing of those assets, due to Plaintiff's concern over Defendants' improper use of that information, due to Defendants' prior actions, and based upon representations made in Defendants' recent status report provided to the Court. The Plaintiff will disclose, in camera, the identity of the party involved and the list of assets to the court only; to confirm the absence of any relation to the assets involved in this litigation, should the court request such disclosure following a motion filed by the Defendants.

9. Defendants disagree that they are not entitled to this information. To the contrary, Defendants requested and Plaintiff has declined to provide any additional information relating to the affirmative representations of the "wind up" or the sale of NDC assets. Defendants' position is that Plaintiff should provide information regarding any efforts to "wind up" the NDC or sell or transfer any assets which are in dispute in this litigation.

February 17, 2025.

Respectfully submitted,

**RESNICK & LOUIS, P.C**

By:



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**~and~**

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COUNCIL**

**CERTIFICATE OF SERVICE**

I hereby certify on the 17<sup>th</sup> day of February 2024 that this filing was electronically filed using the Court's ECF electronic filing system and was served on all parties' attorney(s) of record who have made an appearance and have registered as filing users through the system's Notice of Electronic Filing.



**RHONDA M. MILLS**